



November 16, 2022

FILED ELECTRONICALLY VIA ECF

Hon. Paul A. Engelmayer
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 2201
New York, NY 10007

Re: Benchmark Investments, LLC v. Borgerson et. al. 22-cv-07715

Dear District Judge Engelmayer:

I am counsel for Plaintiff in the above referenced action. I am writing pursuant to Section 6 of the Electronic Case Filing Rules and Instructions to request permission for Plaintiff to file under seal a letter-motion requesting an extension of time to extend the December 2, 2022 date to file an amended complaint or opposition to Defendant's motion to dismiss. (*See* Dkt No. 22, the November 15, 2022 Order.) The reason for this request is that the letter-motion will contain sensitive information concerning the undersigned, which will provide the basis for the extension request.

Respectfully submitted,

By: /s/ Ryan J. Whalen
Ryan J. Whalen
Deputy General Counsel

EF HUTTON, division of
BENCHMARK INVESTMENTS, LLC
590 Madison Avenue, 39th Floor
New York, New York 10022
212-970-5181
rwhalen@efhuttongroup.com

Plaintiff's counsel is directed to send the letter requesting an extension of time to EngelmayerNYSDchambers@nysd.uscourts.gov, copying opposing counsel. Plaintiff's counsel need not file the letter on the docket. Upon receipt of the letter, the Court will determine whether it is properly filed under seal. SO ORDERED.

Date: November 17, 2022

PAUL A. ENGELMAYER
United States District Judge